

#5

BRUST et al.
Divisional of Serial No. 09/131,551
Client/Matter No. 38137/0019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 38137-0019

Applicant: BRUST et al. Confirmation No.: Unassigned
Appl. No.: Divisional of S.N. 09/131,551 Examiner: Unassigned
Filing Date: Herewith – December 3, 2001 Art Unit: Unassigned
Title: Peptides Derived From A Retrovirus of the HIV Group and Their Use

1036 U.S. PTO
10/000321
12/04/01

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

RELEVANCE STATEMENT

Applicants are submitting herewith on Form PTO/SB/08A, a listing of the documents cited by or submitted to the Patent Office in parent application Serial No. 09/131,551, filed August 10, 1998 which is a divisional of Serial No. 08/394,021, filed February 23, 1995, now U.S. Patent No. 5,830,634 issued November 3, 1998. The relevance of these documents is explained in the parent application.

As provided in 37 C.F.R. § 1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application

As provided in 37 C.F.R. § 1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. 09/131,551, filed August 10, 1998 which is a divisional of Serial No. 08/394,021, filed February 23, 1995, now U.S. Patent No. 5,830,634 issued November 3, 1998

TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(b) within three months from the filing date of the above-identified application, therefore, no fee is required in connection with its filing.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: December 4, 2001

HELLER EHRMAN WHITE & MCAULIFFE
1666 K Street, N.W., Suite 300
Washington, DC 20006
Telephone: (202)
Facsimile: (202) 912-2020

By Patricia D. Sandercock 33683
for Colin G. Sandercock
Attorney for Applicant
Registration No. 31,298
Customer No. 26633



26633

PATENT TRADEMARK OFFICE

Substitute for form 1449A/PTO

(use as many sheets as necessary)

Complete if Known

Application Number	Divisional of S.N. 09/131,551
Filing Date	Herewith - December 3, 2001
First Named Inventor	BRUST et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	38137-0019

Sheet	1	of	3
-------	---	----	---

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	A4	WO 86/02383	04/1986	WIPO		
	A5	0 239 425	11/1989	Europe		
	A6	43 18 186	01/1995	Germany		
	A7	WO 89/12094	12/1989	WIPO		
	A8	0345 375 A1	09/1988	EPA		
	A9	0591 914 A2	05/1993	EPA		

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 3

C mplete if Known

Application Number	Divisional of S.N. 09/131,551
Filing Date	Herewith - December 3, 2001
First Named Inventor	BRUST et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	38137-0019

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A10	F. BARRE-SINOUSSE et al., "Isolation of a T-Lymphotropic Retrovirus..", Science, Vol. 220, May 1983, pgs. 868-871	
	A11	S. BENN et al., "Genomic Heterogeneity..", Science, Vol. 230, Nov. 1985, pgs. 949-951	
	A12	G. BARANI et al., "The Peptides, Analysis..", Vol. 2, Acad. Press 1980, Chapter 1, pgs 3-284	
	A13	E. M. SOUTHERN, "Detection of Specific Sequences ..", J. Mol. Biol., Vol. 98, (1975), pgs 503-517	
	A14	F. CLAVEL et al., "Isolation of a New Human Retrovirus..", Science, Vol. July 1986, pgs. 343-46	
	A15	G. MYERS et al., Human Retroviruses and AIDS 1993 III-V., A Compilation and Analysis of Nucleic Acid and Acid Sequences, (1993)	
	A16	G. MYERS et al., Human Retroviruses and AIDS 1992 .., A Compilation and Analysis of Nucleic Acid and Acid Sequences, (1992)	
	A17	R. W. COOMBS et al., "Plasma Viremia As An Endpoint ..", Natural History of Plasma Viremia and Monitoring of Antiretroviral Therapy", Viral Quantitation in HIV Infection, 1991, pgs. 9-19	
	A18	C. OU et al., "DNA Amplification for Direct ..", Science, Vol. 239, January 1988, pgs 295-297	
	A19	S. KNAPP et al., "pSEM Vectors.." BioTechniques, Vol. 8, No. 3, 1990, pgs. 280-81	
	A20	T. MANIATIS et al., "Molecular Cloning .." 2nd Ed. Cold Spring Harbour Laboratory Press, pgs 404-433	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 3 of 3

Complete if Known

Application Number	Divisional of S.N. 09/131,551
Filing Date	Herewith - December 3, 2001
First Named Inventor	BRUST et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	38137-0019

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A21	T. MANIATIS et al., "Molecular Cloning, ..", 2nd Ed. Cold Spring Harbour Laboratory Press, pgs. 404-433	
	A22	C. STAHLI et al., "High Frequencies of Antigen-Specific.." J. of Immunol. Meth. 32, 1980, pgs 297-304	
	A23	G. KOHLER et al., "Continuous Cultures of Fused ..", Nature, Vol. 256, August 1975, pgs 495-497	
	A24	KING et al., "Preparation of Protein Conjugates..", Biochemistry, Vol. 17, No. 8, 1978, pgs 1499-1506	
	A25	GURTLER et al., Further Characterization of a New HIV-1 ..; Abstract No. PO-A10-0147 (6/93)	
	A26	REHLE et al., Preliminary Characterization of a HIV-1 Variant .. Int. Conf. AIDS (Netherlands) 8(3): Abstract No. PuA 6138, 7/92	
	A27	AGUT et al., The Lancet, "Isolation of a Typical HIV-1 Related Retrovirus.." 340:681-82 (1992)	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.